

# The H-1B Work Visa History, Loopholes and Scapegoats

Norm Matloff  
University of California at Davis

Dept. of Labor OFCCP Training Session

August 31, 2016

URL for these slides (repeated on final slide):  
<http://heather.cs.ucdavis.edu/OFCCP.pdf>

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Mainstream U.S. firms. I will typify them as the “Intels,” but I basically mean any U.S. firm hiring tech H-1Bs.
- *Scapegoating*  
The Infosyses are no angels, but they are being unfairly scapegoated.

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- This is false. The abuse of H-1B pervades the entire industry.
- **The hiring of H-1Bs as foreign students at U.S. universities has just as much adverse impact on U.S. citizen/permanent resident workers as does the Infosyses' direct hiring from abroad.**

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  - Capped at 65,000/yr.



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  - Congress enacts further increase to 195,000/yr in 2000 — just weeks before tech stocks tank, Dot Com Bust begins.

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  - For the Intels, added a special 20,000-visa category for foreign students with MS/PhD degrees.

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- Common sense: Wages basically flat (see OES data), so no shortage.

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  - Google admits it.

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  - Wages for Programmers less than for Software Engineers, in spite of doing the same work.
  - Novel new titles, e.g. Junior Software Engineer (HP).

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  - *Intel Inside*, Tim Jackson, 1998.
  - Google admitted this in 2012 meeting with researchers.

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- Data show that all the big firms pay many of their foreign workers at or just above prevailing wage.
- Intels use green card sponsorship to trap their workers.
  - Noted in NRC report, H-1B testimony to Congress.
  - *Intel Inside*, Tim Jackson, 1998.
  - Google admitted this in 2012 meeting with researchers.
  - Immobility enables wage exploitation.

The H-1B  
Work Visa  
History,  
Loopholes and  
Scapegoats

Norm Matloff  
University of  
California at  
Davis

Dept. of  
Labor OFCCP  
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# Case Study: Bank of the West

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- Most are from China.
- Most are ordinary people, not “the best and the brightest.” Their U.S. grad degrees are NOT from top schools.
- There are plenty of U.S. citizens, permanent residents who could do this work.

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# For More Information

## For More Information

- These slides: <http://heather.cs.ucdavis.edu/OFCCP.pdf>
- Some of my research papers:  
<http://heather.cs.ucdavis.edu/Mich.pdf>,  
<http://heather.cs.ucdavis.edu/MigLtrs.pdf>,  
<http://www.epi.org/publication/bp356-foreign-students-best-brightest-immigration-policy/>
- My blog: [normsaysno.wordpress.com](http://normsaysno.wordpress.com)
- My bio: <http://heather.cs.ucdavis.edu/matloff.html>